

J. Jackson WH

STAT

TO : Mr. Cary	DATE OF REQUEST 4 June 1976
FROM : 	SUSPENSE DATE

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SUBJECT:

Talking Paper for DCI at PFIAB Meeting held on 3 June

NOTES

IC staff, asked that we provide comments on the attached paper to be sent as a follow-up to PFIAB. I drafted the attached and sent it to General Thomas. Can you see anything that I may have missed?

COORDINATED WITH (list names as well as offices)		
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ACTION REQUIRED BY GLC

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1. What should be our primary areas of focus in the interest of improving Intelligence Community relationships with the Hill?

2. In light of the fact that there presently are seven committees in Congress to whom I report sensitive covert actions and their membership, excluding staff, totals 58:

a. What action can be taken to concentrate oversight to prevent leakage of sensitive information?

b. What action should be considered by the Executive Branch with respect to the Rules of the House of Representatives which permit every member of the House to have access to the records of any committee.

c. In view of the assertion by at least the Committee of the Senate on Intelligence to be kept fully and currently informed with respect to intelligence activities including significant anticipated activities, what lines should be drawn to preserve the integrity of the decision-making process within the Executive Branch and that of the President.

d. Do the times require that we be completely responsive to the requests of information by any committee? If not, on what kinds of matters should we stand fast?

3. How can we best encourage the new Senate Committee on Intelligence and other oversight committees to serve as a buffer against a proliferation of inquiries from subcommittees with responsibilities only marginally related to intelligence?

4. What should be our policy with respect to providing unclassified information to Congress, its committees and members, and providing sanitized versions of classified testimony or documents. Does the Agency or the Intelligence Community have a responsibility to contribute to informed public opinion in light of the practical problem that this often enmeshes the Agency in controversial policy matters?

5. What should be the position of the Agency in the face of an assertion of a congressional right to disclose classified and intelligence sources and methods information by:

a. The action of only one House of the Congress;

b. The action by a committee of the Congress.

6. What mechanism would you propose for members of the oversight committees for registering responsibly their opposition to a covert action reported to them.

7. What arguments should we stress in our efforts to preserve the option of covert action in the face of legislative initiatives to proscribe such programs? What specific types of covert actions do you believe could be proscribed, e.g., paramilitary activities without adversely affecting the options and authority of the President in the conduct of foreign relations?

8. What arguments should we stress in our efforts to keep the intelligence budget classified?

9. What can I do to enhance appreciation on the part of members of the Congress as to the need to protect the classification of sensitive intelligence information?

10. Could anything be done to assure that there are uniform standards for clearing congressional staff personnel members before they are allowed access to classified intelligence material and to have them execute an enforceable secrecy agreement?

Talking Paper for DCI at PFIAB Meeting 3 June

INTELLIGENCE COMMUNITY RELATIONSHIPS WITH THE CONGRESS
AND SENATE RESOLUTION 400

You will recall that at my 2 April meeting with the Board I raised the question of possible guidance from the PFIAB concerning relationships of the Intelligence Community with the Congress.

- Chairman Cherne named a subcommittee to look into this consisting of Mr. Arends, Mr. Ailes, Mr. Casey, Dr. Foster, Mr. Laird and Mr. Williams.
- We noted at the time that this matter involves Constitutional and political factors as well as matter of propriety.
- We clearly recognize the right of the Congress to be provided with information needed for its judgments, but our experiences with the Senate and House Select Committees investigating intelligence have given us pause.
- The fact that we are being pressed for information by subcommittees such as the one Congresswoman Abzug heads, and by individuals such as Senator Proxmire has heightened our awareness of the breadth of questions to which we are expected to respond.
- I trust you understand our concern about a future in which it appears likely that the Congress will be calling for far more classified intelligence than has been the case in the past.

In essence, our problem is one of reconciling:

- The President's charge to me in Executive Order 11905 to "facilitate the use of foreign intelligence products by Congress," and
- My responsibility under the National Security Act of 1947 to protect sensitive intelligence sources and methods.

I did not come back to you between the April meeting and now because developments relating to Senate Resolution 400 raised a number of uncertainties that could importantly relate to our relations with the Congress.

- One was the question of whether the Select Committee on Intelligence would have exclusive jurisdiction, and thus reduce the number of committee to which we would report.

Senate Resolution 400 has ~~passed~~ passed, and we now know the new standing committee does not have exclusive jurisdiction.

- In many ways, it is merely one more committee to which we must report.

What I want to do is take advantage of the wealth of political experience represented by the members of the PFIAB.

I am sure you will think of many of the key questions without my help, but I would like to have your judgments on questions such as these:

✓ --What should be our primary areas of focus in the interest of improving Intelligence Community relationships with the Hill?

--Do the times require that we be completely forthcoming on any subject that any subcommittee or Congressman might want to raise? If not, on what kinds of matters ~~we~~ should we stand fast?
to press on regarding the subject

✓ --How can we best encourage the new ~~Select Committee~~ *on Intelligence* to serve as a buffer against a proliferation of inquiries from subcommittees with responsibilities only marginally related to intelligence?

✓ --What arguments should we stress in our efforts to keep the intelligence budget classified?

✓ --How can we foster Congressional adoption of uniform standards for the handling of classified information?

✓ --What can I do to enhance appreciation on the part of members of the Congress as to the need to protect the classification of sensitive intelligence information?

✓ --Could anything be done to assure that Congressional staff *there are uniform standards* members are properly cleared before they are allowed access to classified intelligence material *and to have the clearance on enforceable security agreement*?

I recognize there are no hard and fast answers to the kinds of questions I am posing, but your ideas --based on your own political experience and knowledge of how things work on the Hill -- would be of real value to me.

Don't In light of the assertion that the committee is not a Select Committee of the Senate on Intelligence, that it is [] the Senate that it should be brought fully at current impact with respect to intelligence activities, in chief, on significant intelligence activities,

The Resolution established the Senate Select Committee provides

that it is